

## **REMARKS**

In the Official Action, the Examiner rejected all pending claims 1-3 and 5-20. In view of the remarks below, Applicants respectfully request reconsideration of the present rejections and allowance of all pending claims.

### **Rejections Under 35 U.S.C. § 103**

The Examiner rejected claims 1-3, 7-13 and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over the Barnes reference in view of the Roberts reference. In regard to independent claims 1, 12, and 17, the Examiner stated:

As per claim 1 Barnes teaches:  
a first electronic information system being accessible from  
a website interface at col. 7, lines 24-25;

data related to the identified company stored in electronic  
storage at col. 7, lines 57-58;

a plurality of tools to enable the employees to perform a  
plurality of employment related functions for the identified  
company, each tool utilizing the company-related data to perform  
its intended function at col. 8, lines 28-35.

Barnes does not explicitly teach a data engine  
operable to provide a link between the...first information system  
and a ...second information system operated by a business  
partnered with the identified company, the first and second  
websites having the same look and feel. Roberts does teach this  
limitation at col. 4, lines 38-46. It would have been obvious to one  
of ordinary skill in the art at the time of the invention to combine  
the cited references to provide efficient access to available web  
services at col. 3, lines 15-18.

...

As per claim 12 Barnes teaches:  
an information database containing data related to the identified company at col. 7, lines 57-58;  
a plurality of tools to direct the system to perform operations to assist the employees to perform employment-related functions for the identified company at col. 8, lines 28-35; an information engine that operates between the information database and the plurality of tools at Fig. 3;  
an application to identify each of the employees accessing the system, wherein the system configures the interactive Internet website based on each employees' identity at col. 6, lines 57-65.

Barnes does not explicitly teach an interactive Internet website that enables only the employees of the identified company to access and interact with the electronic information system. Roberts does teach this limitation at col. 4, lines 47-54. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to provide efficient access to available web services at col. 3, lines 15-18.

...

As per claim 17 Barnes teaches:  
providing a first computer system with...a website having a...look and feel at col. 7, lines 24-25;  
providing the first computer system with first company-related data and a plurality of applications stored in memory...at col. 7, lines 57-58 and col. 8, lines 28-35.

Barnes does not explicitly teach enabling a second company to host a second website having the...look and feel of the first website...and providing the first computer system with a data engine operable to locate specific first company data in memory and second company data...transfer the specific first company-related data and a second company data to an application to enable...tool to perform their employment-related function. Roberts does teach these limitations at col. 4, lines 30-57. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to provide efficient access to available web services at col. 3, lines 15-18.

Applicants respectfully traverse this rejection. The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). The mere fact that references *can* be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d. 1430 (Fed. Cir. 1990). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

In regard to independent claim 1, Applicants respectfully submit that the Examiner clearly did not consider all of the recitations of claim 1 in making the present rejection. Specifically, the Examiner should note that claim 1 recites “a second website hosted by a second electronic information system operated by *a business partnered with the identified company, the first and second websites having the same look and feel.*” (Emphasis added.) The Examiner did not point to any portions of the cited references that purport to disclose this subject matter. Indeed, any attempt to do so would be futile, as the references do not appear to disclose this subject matter. Because the cited references do not disclose or suggest this subject matter, and because the Examiner has not even alleged that they do, Applicants respectfully submit that the Examiner

clearly has not supported a *prima facie* case of obviousness with regard to independent claim 1. Consequently, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claim 1 and all claims dependent upon claim 1.

In regard to independent claim 12, it appears that the Examiner has misinterpreted the Roberts reference. The Examiner alleged that the Roberts reference teaches an interactive website that enables only the employees of the identified company to access and interact with the electronic information system. However, a review of the cited portion of the Roberts reference clearly does not provide this teaching. Indeed, the paragraph in column 4, lines 47-54, of the Roberts reference merely discusses that each web service architecture may be customizable and that a web service architecture can be created for a particular industry, such as the insurance industry, so that insurance companies can then take advantage of that web service architecture. Indeed, if anything, it appears that this portion of the Roberts reference teaches that many insurance companies can access the same "industry standard" web service, which is clearly contrary to the subject matter set forth in claim 12. Because the Roberts reference clearly does not disclose the subject matter admittedly missing from the Barnes reference, and because the disclosure of the Roberts reference arguably teaches away from the claimed subject matter, Applicants respectfully submit that the Examiner has not demonstrated a *prima facie* case of obviousness. Consequently, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of independent claim 12 and all claims dependent upon claim 12.

In regard to independent claim 17, Applicants respectfully submit that the Examiner has clearly misinterpreted the teachings of the Roberts reference. Specifically, independent claim 17 recites that a second website has “the same look and feel” as a first website, and that employees of a first company may obtain second company-related data via the second website “without appearing to leave the first website.” The Examiner has admitted that the Barnes reference does not disclose the subject matter, and the Examiner has relied upon a section of the Roberts reference (column 4, lines 30-57) in an attempt to cure this deficiency. However, a review of this section of the Roberts reference reveals that it never once mentions two websites having the “same look and feel” or that employees of one company may obtain data related to a second company “without appearing to leave the first website.” Because the cited references clearly do not disclose or suggest the claimed subject matter, Applicants respectfully submit that the Examiner has not demonstrated a prima facie case of obviousness. Consequently, Applicants respectfully request withdrawal of the Examiner’s rejection and allowance of independent claim 17 and all claims dependent upon claim 17.

The Examiner also rejected claims 5, 6 and 14 under 35 U.S.C. § 103(a) as being unpatentable over the Barnes and Roberts references in view of the Lin reference. However, the Lin reference does not cure the deficiencies of the Barnes and Roberts references discussed above. Therefore, claims 5, 6 and 14 are allowable for the same reasons as their respective independent claims.

### **Conclusion**

In view of the remarks set forth above, Applicants respectfully request allowance of all pending claims 1-3 and 5-20. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

### **Authorization for Extensions of Time and Payment of Fees**

In accordance with 37 C.F.R. § 1.136, Applicants hereby provide a general authorization to treat this and any future reply requiring an extension of time as incorporating a request thereof. The Commissioner is authorized to charge any additional fees which may be required, to Deposit Account No. 08-2025; Order No.COMP:0174/FLE (200301931-1).

Respectfully submitted,

Date: November 23, 2005



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